

CHADDS FORD TOWNSHIP

Minutes – Board of Supervisors

November 7, 2001

The Supervisors of Chadds Ford Township met in the Township Building on Wednesday, November 7, 2001. The meeting was called to order at 7:30 P.M. Present were Harvey L. Kliman, George M. Thorpe, and James E. Shipley. Also present were Solicitor Donald T. Petrosa and James C. Kelly of Kelly Engineers.

Mr. Kliman announced that the discussion of a Dog Control Ordinance would take place after Public Comment.

PUBLIC COMMENT

Jim Murray expressed thanks to all who participated in Clean-Up Day and the fine coverage by the Chadds Ford Post.

Mrs. Spira (Raven's Crest) commented that, in her opinion, their street does not need re-numbering. Mr. Kliman advised that this echoes comments made at the public meeting. The Supervisors' will be looking at those sequentially numbered areas; and, if it makes sense, the addresses will not change.

Fred Reiter asked if the markings on Atwater Road were for a photo survey. Although it sounded like what would be done for a survey, Mr. Kelly was unaware of any survey being conducted.

Rob King asked if there would be a discussion of the re-routing of traffic as a result of the closing of Route 100 and the problem with turning from Route 1 onto Ring Road. Mr. Thorpe advised that this corrective work has begun and the delay is in waiting for PECO to relocate poles.

An unidentified man described the safety hazard that has been created as a result of southbound drivers on Route 1 using the space immediately before the Heyburn Road left turn lane for turning into the Chadds Ford Tavern. Cars are

backing up into the left southbound lane. Mr. Kliman explained that this was discussed with PennDOT. There is insufficient space along the front of the Tavern for an additional lane and left turns from Harvey Road to Route 1 northbound cannot be blocked and PennDOT had no solution.

An unidentified woman asked if anything could be done, on a temporary basis, to facilitate left turns out of Ring Road. Mr. Thorpe advised that there is a possibility of a temporary stop light.

Fred Reiter stated that he had trouble seeing the red detour arrows on Ring Road. Mr. Thorpe explained that the detour arrows direct traffic down to Route 202.

Minutes – Board of Supervisors

Page 2

November 7, 2001

Public Comment (cont.)

Because much of Public Comment centers around issues with state roads, the Board requested that Mr. Thorpe, as Roadmaster, write PennDOT a letter outlining several areas of safety concerns.

Deborah Love D'Elia commented that Bob Kane, a representative of Senator Bell's office, advised that the Route 100 bridge repair will be put in front of PennDOT's activities. An engineering study is being done in February 2002 and it looked like the project will be completed in the Fall of 2002. Mr. Thorpe confirmed this information.

Dog Control Ordinance

The Supervisors have reviewed a draft of an ordinance regulating animals running loose and designation of an Animal Control Officer who could be contacted twenty-four hours, seven days a week for these problems. Our Solicitor advises that the State establishes the amount of the fines. Two candidates are being considered for this position. Picking up dead animals on the road is one outstanding matter. Becky Rober, an Animal Control Officer in Chester County, offered her assistance. (Phone 610-692-6113 Extension 214; e-mail - rrobers@AOL.com). Mr. Shipley asked if Ms. Robers would review our draft Ordinance. This ordinance will be revised and possibly adopted in December.

Fred Reiter suggested that the Chadds Ford Times might write an article to remind residents of the importance of identifying and inoculating their pets.

STATE POLICE REPORT- No Report

Reports

Supervisors - Mr. Kliman delivered his Chairman's Report (attached).

Minutes – Board of Supervisors
Page 3
November 7, 2001

Treasurer

Account balances as of October 31, 2001:

State Funds:

v Checking	\$ 284.99	
v Savings	<u>\$54,039.31</u>	\$ 54,324.30

Township Funds:

v Checking	\$206,224.37	
v Savings	\$ <u>34,793.70</u>	\$241,018.07

<u>Escrow Fund:</u>	<u>\$423,790.23</u>
---------------------	---------------------

Total	<u>\$719,132.60</u>
-------	---------------------

Certificates of Deposit opened December 12, 2000 – 14 months @ 6.50%:

Township Fund	\$ 65,978.48
Building Fund	\$102,443.61
Sewer Fund	\$ 7,111.13

Land Trust \$ 10,000.00

Money Market opened December 12, 2000 – 30 days @ 6.05%:
Township Fund \$51,522.46

Total Certificates of Deposit/Money Market \$237,055.68

TOTAL ALL FUNDS \$956,188.28

Receipts for the month of October 2001:

General Fund:

Transfer from DVRFA Loan	\$13,468.81
Treasurer of Delaware County – trans. Tax	15,938.43
Treasurer of Delaware County – del. Tax (2 months)	969.93
Commonwealth of PA – Vol. Fire Relief	29,043.67
Commonwealth of PA – PURTA	517.08
PECO – permit	70.00
District Court – fines	300.00
Comcast – quarterly payment	6,483.85

Minutes – Board of Supervisors

Page 4

November 7, 2001

Receipts for the month of October 2001: (cont.)

General Fund:

Charles J. Weigold	985.90
✓ \$586.94 – Township	
✓ \$145.39 – Fire	
✓ \$203.24 – Int. Township	
✓ \$ 50.33 – Int. Fire	

Richard J. Jensen	2,630.00
✓ \$1,900.00 – BP	
✓ \$ 550.00 – ZP	
✓ \$ 100.00 – GP	
✓ \$ 80.00 – C/O	
SEO - Buckley A. Burke	500.00
Engineering	9,709.68
✓ \$ 17.50 – Sunoco	
✓ \$ 348.00 – Kline pool	
✓ \$ 69.88 – Warren Blanton	
✓ \$ 150.00 – Papas	
✓ \$ 739.89 – Wawa #1	
✓ \$ 129.25 – Ferver	
✓ \$ 157.50 – Ferver (R.Jensen inspection)	
✓ \$ 41.00 – Olde Ridge Village	
✓ \$ 120.50 – Barnaby's	
✓ \$ 105.00 – Sheer	
✓ \$ 257.00 – Anderson	
✓ \$ 19.75 – Shemin	
✓ \$1,141.90 – Bunch	
✓ \$1,541.00 – Wawa #2	
✓ \$ 369.00 – Henderson LD	
✓ \$ 82.00 – Henderson SD	
✓ \$ 375.00 – Henderson Lot #2	
✓ \$ 227.50 – Henderson Lot #2 (R.Jensen inspection)	
✓ \$ 102.50 – Henderson Lot #11	
✓ \$ 70.00 – Henderson Lot #12	
✓ \$1,328.00 – Applied Card Systems	
✓ \$ 268.50 – Bancroft	
✓ \$ 137.50 – Newton	
✓ \$1,911.51 – Brandywine Cons. (Hoffman's Mill Rd.)	

Minutes – Board of Supervisors

Page 5

November 7, 2001

Receipts for the month of October 2001: (cont.)

General Fund:

Legal	1,200.00
v \$212.50 – Ferver	
v \$ 12.50 – Shemin	
v \$ 50.00 – Wawa #2	
v \$ 37.50 – Bunch	
v \$875.00 – Bancroft	
v \$ 12.50 – Applied Card Systems	
Longview Builders & Developers, Inc. – SD fee	605.00
Sales of Maps & Ordinances	<u>66.00</u>

Total Receipts – General Fund	<u>\$82,488.35</u>
-------------------------------	--------------------

Interest – General Fund	72.37
-------------------------	-------

Interest – State Fund	31.74
-----------------------	-------

Interest – Money Market	<u>106.16</u>
-------------------------	---------------

Escrow Fund:

Henderson Group, Inc. – GP Lot #3	700.00
Bancroft Homes – Developer’s	5,000.00
Longview Builders & Developers, Inc. – SD	<u>3,750.00</u>

Total Receipts – Escrow Fund	<u>\$9,450.00</u>
------------------------------	-------------------

TOTAL RECEIPTS	<u>\$92,148.62</u>
----------------	--------------------

Minutes – Board of Supervisors

Page 6

November 7, 2001

Bills presented for payment November 7, 2001:

General Fund:

Chester Water Authority	\$792.00
PECO	745.62
v \$156.05	
v \$451.43	
v \$138.14	
PECO	61.66
Verizon (phone and fax)	88.25
AT&T	1.26
AT&T	19.01
Petrikina, Wellman, Damico, Brown & Petrosia	5,958.71
Kelly Engineers	10,721.90
Chadds Ford Township Sewer Authority	2,333.33
Chadds Ford Township Sewer Authority	17,871.35
Chadds Ford Township Sewer Authority	22,000.00
Shurgard of Painter's Crossing	169.00
Ehrlich	59.00
Daily Times	65.58
Suburban Propane	84.75
Spotts, Stevens and McCoy, Inc.	992.30
Caruolo Associates, Inc. (Bunch)	260.00
Caruolo Associates, Inc. (Applied Card)	675.00
Tree Medic	170.00
Signal Service, Inc.	500.00
Concordville Fire & Prot. Assn.-Vol. Fire Relief	29,043.67
Delaware County Assn. of Twp. Officials – dues	25.00
The Civic Assn. of Chadds Ford Twp. – reimb.	132.54
Martin Bros. Excavation	1,651.36
George M. Thorpe – reimb.	5.49
Susie Ahlstrom	60.00
Harvey L. Kliman	125.00
George M. Thorpe	125.00
James E. Shipley	125.00

George M. Thorpe – Roadmaster	75.00
Richard J. Jensen	2,882.45
Richard J. Jensen – phone	45.84
Gail G. Force	1,043.18
EarthLink, Inc.	17.95
AOL	28.90

Minutes – Board of Supervisors

Page 7

November 7, 2001

Bills presented for payment November 7, 2001: (cont.)

Chester Water Authority – install 2 hydrants	3,000.00
Rachel Kohl Library	1,000.00
Joseph E. Sucher & Sons, Inc. – 2001 Rd. Prog.	<u>47,510.28</u>

Total Bills – General Fund	\$150,465.38
----------------------------	--------------

State Fund:

Joseph E. Sucher & Sons, Inc. – 2001 Rd. Prog.	<u>\$54,000.00</u>
---	--------------------

Escrow Fund:

Stephen A. Fanelli	3,263.40
Fanelli/Mack	1,500.00
Chadds Ford Township-Gen. Fund (Fanelli enr.)	<u>450.00</u>

Total Bills – Escrow Fund	<u>5,213.40</u>
---------------------------	-----------------

TOTAL BILLS	<u>\$209,678.78</u>
-------------	---------------------

Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved the bills as presented.

APPROVAL OF MINUTES

Mr. Shipley motioned, Mr. Kliman seconded, and the Board approved the Minutes of the October 3, 2001, meeting.

Roadmaster

Mr. Thorpe delivered his Roadmaster's Report (see attached).

Planning Commission

William Taylor highlighted the Minutes of the October 31, 2001, Planning Commission.

Zoning Hearing Board

Mr. Wandersee advised that there was no meeting in October. On November 13, 2001, at 7:00 P.M. the Zoning Hearing Board will be meeting to hear the application of the Brandywine Conservancy.

Minutes – Board of Supervisors

Page 8

November 7, 2001

HARB – no report

Sewer Authority

Jim Murray reported completion of the Longview/Woodland/Summit collection system connection directly to the Ridings Plant. The pump station is not yet complete.

The Chester Water Authority line and hydrant have been installed and tested on Woodland Drive. The water line project on Longview is scheduled to start next week. Nine residents on Longview have requested water service and that is sufficient for Chester Water to proceed. All residents in the new service area are making private arrangements to install sewer and water lateral as required. Mr. Murray asked Mr. Kelly for information regarding well abandonment. Mr. Kelly will provide procedures for abandonment.

Building Inspector/Code Enforcement Officer

Mr. Jensen reported the issuance of the following permits during the month: 8 residential additions, 2 plumbing, 1 grading, 3 temporary signs, 1 permanent ground sign, and 1 commercial alteration. The permanent ground sign permit is for Dr. Giunta's property, so he will not be appearing before the Zoning Hearing Board. Two Certificates of Occupancy for new businesses and four for completed projects were issued.

Mr. Kliman reminded Mr. Jensen about removal of the old sign at the Psychic Reader on Route 202 and trucks with signs at Dr. Giunta's property on Route 1 and Mr. Mack's property on Route 202. Mr. Thorpe asked about the signs in the islands at Heilman Sunoco.

Engineer

Wawa (Dilworthtown Road) – Wawa's attorney, Michael Gill, has been provided with the names and addresses of the adjacent property owners. No further submissions have been received since the August Planning Commission Meeting.

Applied Card System – The public improvement cost estimate was submitted for review and returned to Stephen Marshall, Esquire, with some minor changes. The amount to be held in escrow for this project is \$291,250.00.

Minutes – Board of Supervisors

Page 9

November 7, 2001

Engineer's Report (cont.)

Bunch Auction House – Fully executed Planning Modules were submitted to PA DEP, the Delaware County Planning Department, and the Township on October 16, 2001; however, no response has been received. The Applicant's Engineer submitted a public improvement cost estimate which was reviewed and returned with some minor changes. The amount to be held in escrow for this project is \$154,500.00. The Applicant's Engineer

submitted revised plans indicating their intent to use the existing well on the property and showing the method of sewage disposal to be an on-lot disposal system. The Applicant intends to install seven additional wall mounted lamps and a 200-foot water line to be capped at both ends and used for possible future connection to a water main in Hillman Drive. At 5:00 P.M. today, Mr. Kelly was informed that when testing this well, it was determined that the yield was inadequate, so they will be installing a new well on the north side of the building. They were unable to reach an agreement with The Henderson Group; and, because Henderson owns Hillman Drive, they were not permitted to go under Hillman to connect to the water main.

2001 Road Program – The road program is substantially complete. Some additional work being performed along Bullock Road should be complete within the next few weeks. Mr. Kelly recommended payment to the contractor in the amount of \$101,510.28 which is 90% of the approved total. Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved this payment.

Heyburn Road Storm Drainage – The plan and legal descriptions for the easements have been completed. Mellon Biological Services has completed the wetland study and determined that no wetland will be affected by this project. Mellon also requested some additional permitting information on this project.

537 Plan Amendment – A Plan of Study and Task Activity Report have been sent to PA DEP for approval in order for the Township to be eligible for reimbursement of fifty percent of the cost of amending this plan. Mr. Kelly has contacted DEP to schedule a meeting to discuss this project and will advise the Board as soon as a date has been set.

Hydrants along Longview Road and Woodland Drive – Chester Water Authority has drafted plans dated 6/5/00, revised 10/01/01, drawing No. 3026, showing the future location of hydrants along Longview Road and Woodland Drive. Mr. Kelly gave copies of the agreement between the Township and Chester Water Authority to the Secretary for the Township file and outlined that the Township's cost for the installation of the two fire hydrants is \$1,500.00 each, plus a \$396.00

Engineer's Report (cont.)

Hydrants

annual rental fee for each hydrant. Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved this expenditure.

SEO Activity Report (see attached report for the period October 1 - 31, 2001)

Solicitor

Daly v. Chadds Ford Township – Mr. Petrosa advised that he and Richard Jensen attended a hearing on this action brought by the owners of Barnaby's. The hearing did not take place. There was a conference in the Judge's chambers and this matter is being assigned to another Judge. No date has been set.

Mehring Subdivision - With regard to a discussion at the last meeting, Mr. Petrosa has determined that front yard setbacks do apply from the private streets.

Open Space Committee

Lois Saunders reported meeting in September to review revisions of the proposed ordinances; however, they have not received any revisions. Another meeting is scheduled for November 8, 2001. There are some vacancies on this Committee and they encourage the Supervisors to consider some additional members.

Property Planning Workgroup

Mr. Thorpe advised that there was no meeting of this group; however, they are attempting to set up a meeting for November.

OLD BUSINESS

Open Space Committee - As a representative of the Delaware County Open Space Task Force, Mr. Barnard expressed that they are still interested in meeting with the Township to explain what opportunities are available in working together. This will be coordinated with members of our Open Space Committee.

Brandywine Conservancy (Zoning Hearing Board) – As Timothy Barnard, Esquire, has previously explained, the Conservancy is proposing to replace two of its buildings to be constructed above the floodplain, and expand the Museum building. In addition, they will be acquiring a portion of SEPTA's adjoining property. Zoning relief is necessary for several setbacks; some of which are because the two replacement buildings

Minutes – Board of Supervisors

Page 11

November 7, 2001

Brandywine Conservancy (cont.)

are being constructed before the existing buildings are razed. The height of these buildings is another matter for the Zoning Hearing Board. Much discussion of possible changes to the design of the maintenance building followed in an effort to lower the height. Ideas will be relayed to their architect. A meeting was set for the next day with Mr. Jensen and those Supervisors who are available to meet with the Conservancy's architect to determine some additional details that are not evident on the material presented; i.e., ceiling height and height of trucks.

NEW BUSINESS

Rachel Kohl Library – Mr. Kliman advised that the Library is requesting a \$5,000.00 donation for next year. Mr. Kliman contacted Meg Hawkins to ask for justification for this request. There was no rationale, just an amount their Board felt appropriate considering what surrounding Townships contribute. Chadds Ford Township accounts for 7% of the patrons; however, in terms of their budget, our contribution is 1%. The Library has offered the name of a Township resident to serve on their Board; however, Mr. Kliman did not know this person.

Mr. Shipley's opinion is that the Library should institute user fees; and, while it is a benefit to the community, he does not feel it should be a completely free service, and that it is an unfair tax burden for who do not use it. Much discussion followed; however, no one was sure why membership fees are not charged. This will be determined before deciding what our contribution will be for 2002.

With regard to our contributions for the Year 2001, Mr. Thorpe motioned, Mr. Kliman seconded and approved the payment of the remaining \$1,000.00 to the Library in fulfillment of our commitment for the year 2001. Mr. Shipley opposed the payment of this contribution.

Springhill Farms violation – Mr. Kliman asked Jim Murray if he was aware of the violation at Springhill Farms for stream discharge.

Dr. Giunta lighting – Mr. Kliman reminded Mr. Jensen that the lighting issue on Dr. Giunta's property has not been corrected.

St. Cornelius Church – Mr. Shipley felt that it would be appropriate for the Board of Supervisors to send the Church a letter (with a copy to DEP), from our attorney, summarizing the status of the communications that have occurred between the Township and St. Cornelius regarding their tying into the sewer plant, and that it is our intent to amend the Act 537 Plan and advise them of the legalities requiring them to tie in once the

Minutes – Board of Supervisors
Page 12
November 7, 2001

St. Cornelius Church (cont.)

Plan is amended. Mr. Petrosa felt that if we had an ordinance stating that if you are within 150 feet of a sewer line you are required to hook in. Mr. Kelly feels that this would also be DEP's position. St. Cornelius' opinion is that this is not valid. Through extensive time and efforts on the part of the Board members, and Jim Murray and the Sewer Authority, the church has benefited from a much less expensive system.

ADJOURNMENT

The meeting was adjourned at 10:55 P.M.

Gail G. Force, Secretary